

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL DARRELL RED EAGLE, SR.,

Defendant.

**CR-15-44-GF-BMM-2**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 24, 2019. (Docs. 112.) Paul Red Eagle (Red Eagle) filed objections on December 27, 2019. (Doc. 113.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on December 23, 2019. (Doc. 108.) The United States accused Red Eagle of violating his conditions of supervised release by 1) failing to notify his probation officer of a change in

residence; 2) by failing to report for substance abuse treatment; and 3) by failing to report for substance abuse testing. (Doc. 105.) Red Eagle admitted to violating to all of the conditions of his supervised release. (Doc.108.)

Red Eagle now opposes Judge Johnston's Findings and Recommendations, objecting to the first 180 days of his supervised release spent at a residential re-entry center. (Doc. 113.) The Government does not object to the request by Red Eagle that the first 180 days of his supervised release at a residential re-entry center be stricken from the final Judgment in this matter. (Doc. 113 at 2.)

The Court conducted a revocation hearing on January 6, 2020. (Doc.115.) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations in part. Red Eagle's violations of his conditions represent a serious breach of the Court's trust. This violation proves serious. Judge Johnston has recommended that the Court revoke Red Eagle's supervised release and commit Red Eagle to the custody of the Bureau of Prisons for 5 months. (Doc.112 at 4.) Judge Johnston further has recommended a term of 27 months of supervised release follow with the first 180 days of supervised release in a residential re-entry center. (Doc. 112 at 4.)

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 112) are REJECTED IN PART and ADOPTED IN PART.

**IT IS FURTHER ORDERED** that Defendant Paul Darrell Red Eagle, Sr.  
be sentenced to custody of 5 months, followed by 27 months supervised release.

DATED this 6<sup>th</sup> day of January, 2020.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line underneath.

Brian Morris  
United States District Court Judge